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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Via Hand Delivery

Magalie Roman Salas, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

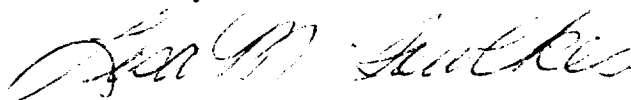
RE: Response of the Commonwealth of Pennsylvania To Motion To Dismiss
Filed By Region-20 821 MHz Public Safety Regional Plan Review
Committee in GN Dockets No. 90-7, 89-573, 92-274, and Proceeding DA
99-1812

Dear Ms. Salas:

On behalf of the Commonwealth of Pennsylvania (the "Commonwealth"),
enclosed herewith for filing are an original and eleven (11) copies of the
Commonwealth's Response to Motion To Dismiss Filed by Region-20 821 MHz Public
Safety Regional Plan Review Committee that was filed on September 28, 1999 in the
above-captioned proceeding.

Kindly stamp and return to this office the enclosed copy of this filing designated
for that purpose. You may direct any questions concerning this material to the
undersigned, counsel to the Commonwealth of Pennsylvania.

Sincerely,



Lisa M. Fowlkes

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Public Safety National Channels of
CARROLL COUNTY, MARYLAND
Licensed Under Call Signs
WPIQ515 and WPIU695

)
) File No.: 9709A007774 (WPIU695)
) 9709A007775 (WPIQ515)
)
) GN Docket No. 90-7
) GN Docket No. 89-574
) GN Docket No. 92-274
) DA 99-1812

**RESPONSE OF THE COMMONWEALTH OF PENNSYLVANIA
TO MOTION TO DISMISS FILED BY REGION-20 821 MHz
PUBLIC SAFETY REGIONAL PLAN REVIEW COMMITTEE**

The Commonwealth of Pennsylvania (the "Commonwealth"), through its undersigned attorneys, hereby files this Response to the Motion to Dismiss ("Motion") filed by Region-20 821 MHz Public Safety Regional Plan Review Committee ("Region-20") on September 28, 1999. Region-20's Motion requests that the Commission dismiss without prejudice the Petition filed by the Commonwealth on September 28, 1998, in which the Commonwealth requested that the Commission revoke the licenses it granted to Carroll County, Maryland (the "County").¹ Alternatively, the Commonwealth requested that the Commission modify the County's licenses so as not to cause interference to the Commonwealth's public safety communications system.²

The Commonwealth will not address Region-20's reiteration of previous arguments raised in this proceeding. Suffice it to say that the Commonwealth has no objection to the dismissal without prejudice of its Petition, but **only if and after** the Commission approves the Inter-Regional Channel Re-Assignment Agreement

¹ Commonwealth of Pennsylvania Petition for Revocation Or, In the Alternative, For Modification of Licenses at 1 (September 28, 1999) ("Petition").

² Id.

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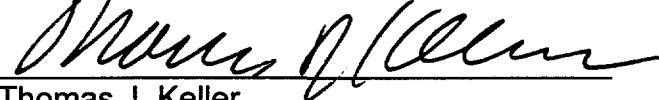
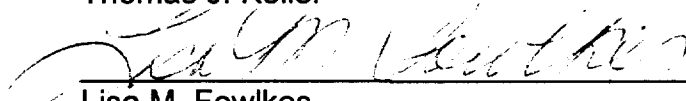
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("Agreement") between Regions 20, 28, and 36 which was the subject of a Public Notice³ released last month. Until the Commission actually approves the Agreement, the issues raised in the Petition remain meritorious and deserving of action by the Commission. Only approval of the Agreement would warrant dismissal of the Petition. Consequently, Region-20's Motion is premature.

Accordingly, the Commonwealth does not object to the dismissal of its Petition without prejudice, but only if and after the Commission approves the proposed Agreement. If, however, the Commission rejects the Agreement, the Commonwealth requests that the Commission act on its Petition on an expedited basis. In such case, the Commonwealth reserves its right to respond to any new arguments raised by Region-20 in its Motion.

Respectfully submitted:

COMMONWEALTH OF PENNSYLVANIA


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October 8, 1999

³ Public Notice, "Wireless Telecommunications Bureau Seeks Comment On Inter-Regional Channel Re-Assignment Agreement Submitted By Regions 20, 28 and 36 in GN Docket Nos. 90-7 and 89-573," DA 99-1812 (released September 3, 1999) ("Public Notice").

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 8th day of October, 1999, I caused copies of the foregoing document to be served by first class mail, postage prepaid to the following:

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